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Dec 02, 2021

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY MD Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

AMBROSE MATTHEW KYLER,

Defendant

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CASE NO. 21-mj-3312-TJS

FILED UNDER SEAL

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

Your affiant, Special Agent Paul L. Dass with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), being duly sworn, deposes and states as follows:

Introduction and Background

1. I have been an ATF Special Agent since March 2018. As an ATF Special Agent, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. In my role as an ATF Special Agent, I am responsible for investigating unlawful activities, including enforcing federal firearms and explosives laws, in the District of Maryland. I received training on the proper investigative techniques for these violations, including the identification of firearms and ammunition, the diversion of firearms from legal to illegal marketplaces, and the use of firearms in the commission of violent crime.

3. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of the requested criminal complaint and arrest warrant, I have not included every detail of every aspect of the investigation. I have not, however, excluded any

information known to me that would defeat a determination of probable cause. The information contained in this affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers and other individuals. All conversations and statements described in this affidavit are related in substance and in part unless otherwise indicated.

4. Based on my training and experience and the facts as set forth in this affidavit, I respectfully submit that there is probable cause to believe that, on or about March 17, 2021, **AMBROSE MATTHEW KYLER** (“**KYLER**”) violated 18 U.S.C. § 922(g)(1) (felon in possession of a firearm).

Probable Cause

5. On or about Wednesday, March 17, 2021, based on information received by law enforcement, law enforcement officers with the St. Mary’s County Sheriff’s Office were on alert for a specified vehicle. At approximately 12:07 p.m., law enforcement officers located the vehicle parked in front of the St. Mary’s County Sheriff’s Office in Leonardtown, Maryland. The officers observed several occupants within the vehicle. The officers approached the vehicle and made contact with **KYLER**, who had an open arrest warrant for violation of probation. **KYLER** was arrested and the officers conducted a search incident to arrest. The officers recovered from **KYLER**’s waistband a Glock model 30, 45 caliber handgun bearing serial number UFV335 (“the firearm”). Additional investigation revealed that the firearm previously had been reported stolen from Vienna, Virginia.

6. On or about March 17, 2021, I consulted with an ATF Firearm Nexus Expert who advised that the firearm would have been manufactured in either the Country of Austria or the

State of Georgia, thus having affected interstate or foreign commerce before being recovered in Maryland on or about March 17, 2021.

7. I examined **KYLER**'s criminal history, which revealed that **KYLER** is prohibited from possessing a firearm because he received at least one conviction for a crime punishable by more than one year of imprisonment. Namely, as to his most recent conviction, on September 9, 2020, **KYLER** was convicted in Calvert County, Maryland of Threat of Arson, and sentenced to three years' confinement (partially suspended). I contacted a representative from the Maryland State Parole Commission, who confirmed that **KYLER** has not been pardoned for any of his convictions and therefore is prohibited from possessing firearms and ammunition.

8. Further, at the time of his arrest, **KYLER** was on supervised probation/parole with the State of Maryland. When starting his supervised probation, on or about August 21, 2019, **KYLER** signed a Maryland Division of Parole and Probation Gun Possession Special Notice which informed him, among other things, that "Under federal law, it is illegal for you to possess a **gun of any type** if: You have ever even been convicted of a felony; [or] You have ever been convicted of a crime for which the penalty *could have been* more than a year, regardless of the sentence you actually received." (Emphases in original.) **KYLER** acknowledged by his signature that he "ha[d] been informed and [he] underst[ood] that it may be a violation of the law for me to purchase, own or possess a firearm and that it is my responsibility to know the firearms laws and to obey them." (Capitalization omitted.)

Conclusion

9. Based on the foregoing, I respectfully submit that there is probable cause to believe that, on or about March 17, 2021, **KYLER** violated 18 U.S.C. § 922(g) (felon in possession of a firearm). I further respectfully request that the Court issue the requested criminal complaint and arrest warrant for that violation.



Special Agent Paul L. Dass
Bureau of Alcohol, Tobacco, Firearms and Explosives

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) this _____ 1st _____ day of December, 2021.



THE HONORABLE TIMOTHY J. SULLIVAN
UNITED STATES MAGISTRATE JUDGE